#### IN THE UNITED STATES DISTRICT COURT

### FOR THE EASTERN DISTRICT OF TEXAS

### **LUFKIN DIVISION**

LEE ARTHUR WYNN §

VS. § CIVIL ACTION NO. 9:14-CV-108

WARDEN WILLIAM STEPHENS, ET AL. §

# MEMORANDUM ORDER ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Lee Arthur Wynn, a prisoner confined at the Polunsky Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, brought this civil rights action pursuant to 42 U.S.C. § 1983 against William Stephens, Gary Hunter, Bill Pierce and D. Muniz.

The Court ordered that this matter be referred to the Honorable Zack Hawthorn, United States Magistrate Judge, for consideration pursuant to applicable laws and orders of this Court. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge recommending that the action be dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1).

The Court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record and the pleadings. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

## ORDER

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge is **ADOPTED**. A final judgment will be entered in this case in accordance with the magistrate judge's recommendation.

It is SO ORDERED.

SIGNED this 14th day of January, 2015.

MICHAEL H. SCHNEIDER

UNITED STATES DISTRICT JUDGE